THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 12379 of 2006

Dated: 22.06.2006

Between

A.M. Hanuman, S/o A.M. Subba Rao, Driver, E.No. 094682, D.No.19/40, Bandimetta Street, Kurnool, Kurnool District.

….. Petitioner.

And

The Vice Chairman and Managing Director, APSRTC, Musheerabad, Hyderabad, and others.

….. Respondents.

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W.P. No. 12379 of 2006

Oral order:

The petitioner is a Driver with the respondents-APSRTC. While working under the control of the 2nd respondent-Depot Manager, Adoni, he was directed for medical check up to APSRTC Dispensary at Kurnool, where the Senior Medical Officer, having examined the petitioner, vide proceedings dated 21.03.2006 declared him medically unfit to hold the post of A1 Driver due to defective vision. Thereafter, the petitioner appeared before the Medical Board, APSRTC Hospital at Tarnaka, and the Chief Medical Officer, also declared the petitioner medically unfit. Thereupon, the petitioner is said to have made representation dated 08.05.2006 to the 3rd respondent-Regional Manager, APSRTC, Kurnool, requesting him to provide alternative employment, but till date no action had been taken thereon. Hence, he filed the present writ petition.

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

The learned counsel for the petitioner submits that since the petitioner while working as Driver with the respondents-APSRTC was declared medically unfit, he having regard to the provisions of Section 47 of the Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995 is entitled to be provided alternative employment, and though the petitioner made representation dated 08.05.2005 to the 3rd respondent-Regional Manager, APSRTC, Kurnool, till date no action thereon had been taken.

Since the representation dated 08.05.2006 said to have been made by the petitioner to the 3rd respondent-Regional Manager, APSRTC, Kurnool, seeking alternative employment, is said to be still under consideration, both the learned counsel for the petitioner as well as the learned Standing Counsel for the respondents-APSRTC prayed

that the writ petition itself be disposed of with a direction to the 3rd respondent-Regional Manager, APSRTC, Kurnool, to consider and dispose of the representation made by the petitioner.

In the circumstances, I deem it appropriate to dispose of the writ petition with the following directions:

The 3rd respondents-Regional Manager, APSRTC, Kurnool, is directed to consider and dispose of the representation dated 08.05.2006, said to have been made by the petitioner, seeking alternative employment, expeditiously.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 22nd June, 2006.
KSR